

**PLANNING BOARD MEETING MINUTES
TUESDAY, JUNE 6, 2006**

MEMBERS PRESENT: Jay Cruz, Chair
John DiPasquale
Paul Fontaine, Jr.
Mike Hurley
Linda Nicholopoulos

MEMBERS ABSENT: Paula Caron, Vice-Chair
Nancy Maynard
Yvette Cooks (associate member)

PLANNING OFFICE: Mike O'Hara, David Streb

Call to Order

Meeting called to order at 7:30 p.m. in the Veteran's Room, First Floor, City Hall.

Communications

Board advised of Special Permit application to ZBA for 106 East Street regarding a matter that had been previously denied by the Planning Board last year. Michael O'Hara stated that it didn't appear to be a repetitive petition because of differences in the application -- applying under a different section of the zoning ordinance.

Mr. Fontaine asked about Chris Cox's letter to the board. Michael O'Hara explained that it concerned placing a deck closer than the 10-foot setback from the property line referred to in the Special Permit decision. The deck would encroach 2-3 feet into that setback on the side of the project near Everett Street Extension. The Board did not have any objection to the minor change.

Another requested modification -- to add two units and increase open space by acquiring and tearing down abutter's house (Valiton) would need a modification of the Special Permit, which will be heard at the 6-20-06 meeting.

Meeting Minutes

Motion made and seconded to approve minutes of the May 16th meeting. Vote unanimous to approve.

ANR plans

No ANR plans this meeting.

PUBLIC HEARINGS

Special Permit – JCJ, Inc. Arn-How Farm Rd – common driveways (2), Lots 11&12, Lots 13&14

Michael O'Hara informed the applicant that since there were two Board members absent, the application would require a unanimous vote from the five remaining members, as a Special Permit requires a 2/3 majority from the Board. The applicant expressed the willingness to proceed.

Ralph Romano presented plan. Plan has evolved through review process with Conservation Commission & abutters comments. Explained that there four dwellings total under consideration, two separate common driveways to service them. He said that while the project was before the Conservation Commission, the wetlands delineation was performed several times, and the final delineation was such that they would have designed the lots differently had they known of it beforehand.

Both driveways are proposed to be paved 12 feet wide. One is 370 feet long and one is 340 feet long. The one that forks into two has a total pavement length of 420 feet.

Michael O'Hara stated that the Board has a note from the Fire Department approving the plan. Ralph Romano will get erosion control installed first on the steep slope

Public comment:

David Nickless – 699 Ashby State Rd – Wants to clarify comments made by Ralph Romano. Before, all the lots had an individual driveway. JCJ has to repair two cuts in the roadside walls that were made illegally. This redesign was made only after 2½ - 3 years and an appeal by David Keese and himself that the redesign was made. Also, notice for this hearing was sent out listing Jeremy Daly as the chair of the Planning Board, so he questioned the legality of the meeting.

Michael O'Hara stated that the reference to Jeremy Daly as the chair was an unfortunate side effect of cutting and pasting the notice, and would not affect the legality of the meeting notice.

David Keese, 587 Arn-How Farm Road – For the last three years the development along Arn-How Farm Rd. project has severely impacted his quality of life. Construction hours were both very early and very late.

Ralph Romano responded by stating that the three houses he's talking about were built by Benjamin Builders & he agreed they were working late.

Mr. Cruz opined that the allowable hours were 7 a.m. - 7 p.m. and beyond that it is a violation.

Public Hearing closed at 7:50 p.m. Michael O'Hara pointed out that the Board would be actually voting on two separate special permits, one for each common driveway.

Motion made (PF) & seconded (JD) to grant Special Permit for Lot 11 & 12, subject to usual common driveway conditions. Vote 5-0 to approve Special Permit

Motion made (PF) & seconded (JD) to grant Special Permit for Lot 13 & 14, subject to usual common driveway conditions. Vote 5-0 to approve Special Permit

Special Permit – Habitat for Humanity, 0 Essex Street, “infill” lot single family

Public Hearing opened. Frank Woods presented for Habitat for Humanity, the applicant. They are proposing a 3-bedroom unit at the end of Essex Street, a dead-end street. It is a 24' x40' ranch.

Mr. Fontaine: Why a ranch? He thought a two-story similar to Walnut Street would be better, as it would be more in keeping with the neighborhood's architecture.

Ms. Nicholopoulos expressed the same concern.

Frank Woods explained that the driving force behind it is the future homeowner is mobility-impaired, and that a one-story dwelling would be better for the family. He said it would be relatively easy to change the plans to make the roof more peaked. They could also make sure this family got the next Habitat house which could be handicapped accessible.

David Streb said that he's pleased that the Board is concerned about how the style will fit architecturally into the neighborhood, but if there was one instance where an exception could be made, this was it. It's located at a dead-end where few people will see it. He then asked the applicant how he will deal with the difficult site conditions.

Frank Woods replied that the site conditions aren't that bad – it's mostly shale. He explained how it would be cut into the slope.

Is there room to get snow plows past the end?

Frank Woods: A new driveway will make it easier for plows.

Public comment:

Jerri Bajana, 51 Essex St. -- road can't be extended because of ledge. There is lots of runoff & icing in winter from that hillside. She doesn't want blasting because her house is on ledge.

8:05 p.m. - Brief recess for Ms. Nicholopoulos to appear before City Council.

8:20 p.m. - Ms. Nicholopoulos returned, meeting resumed.

Mr. Fontaine: He could petition City Council to extend the road 10-15 feet for room to dump snow.
Frank Woods - or Habitat could just do it. He has no problem extending the road 15 feet.

Mr. Cruz: Is there any way to raise the roofline to look a little better?

Frank Woods: He can do whatever is desired. He could raise the pitch of the roof.

Mr. Fontaine: Could he add a 2-foot jog to make the façade facing the street look better?

Frank Woods: The entry way needs some work. He'll improve it. He's going to cut into the slope and add some fill on one side. He'll use a decorative block for a retaining wall.

Ms. Bajana, 51 Essex St. – Her main concern is for who moves into there. If it's a young mother with children, they'll have a tough time in the winter. Ice and slipping conditions. Also the sewer connection. She had to go cross-country and it was expensive.

Frank Woods: I talked to the DPW-Engineering. They said it was a relatively new water main. He described where the sewer line was proposed to go.

Public Hearing closed at 8:40 pm.

Motion made (PF) & seconded (JD) to grant Special Permit for infill lot, subject to the following conditions:

- Plan as proposed.
- Applicant to extend pavement on Essex Street for 10-15 feet (at the existing width) to provide area for snow plowing, subject to approval of DPW.
- Proposed Block Retaining Wall shown on plan to be aesthetically pleasing interlocking blocks.
- Revised building elevation showing steeper roof pitch is to be submitted for review & approval of Planning Board.
- If handicapped ramp is installed in future it shall be on the side or rear of dwelling.
- No blasting on site.
- The existing water main on Essex Street must extend to the proposed building before final approval of the Fitchburg Water Dept. is given.
- Usual infill lot conditions.

Vote 5-0 to approve Special Permit.

Special Permit – Yang, 92-94 Sheridan St. - add third unit

Public Hearing opened. Barbara Yang presented. She showed an 8½ x 11 plan that shows seven parking spaces. They want to add a third unit to their top floor. They would put a fire escape in to provide a second means of egress. She has older children and she'd like the third unit for them. Also, when she sells, it will be worth more.

Mr. Fontaine pointed out that parking spaces # 2, 4 and 6 are actually in the public way.

Ms. Nicholopoulos said she is not a proponent of three-family dwellings.

Mr. Hurley said he thought that the parking was too tight.

Petitioner showed a copy of letter sent by the Building Commissioner. If Mr. & Mrs. Yang intended to use 3rd floor as an additional unit they would need to upgrade to meeting Building Code requirements.

Public Hearing closed.

The petitioner was informed that they would need a unanimous (5-0) vote by the Board due to the missing members. The applicant elected to withdraw the petition. The Board voted unanimously to allow the petition to be withdrawn, and to waive the filing fee for re-application, should the petitioners decide to go forward.

OTHER BUSINESS

Twin City Shopping Center

Board reviewed plans showing redesigned exit onto Merriam Avenue -- an additional exit lane on to South Street/Whalon Street. It was determined that it properly belongs under the jurisdiction of the DPW, but the Board had no objection to the plan.

Bilotta PUD – Smith Street

A draft decision was presented to the board for review and comment.

Bond release -- Apple Country Estates - Cortland & Macintosh Lanes

The Board approved the release of the remaining bond for this subdivision. The streets have been accepted as public ways.

Bond release - Scola, Sarah Lane

The Board approved the release of the remaining bond subject to final review & approval by Engineering. The public ways.

The Board approved the installation of a pull-down screen directly behind the chair's seat to allow for viewing of presentations. The option of placing the screen on the side of the room was discussed and rejected.

Meeting adjourned: 9:00 p.m.

Next meeting: June 20, 2006

Approved: June 20, 2006